

UNITES STATES ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING ON

REMOVAL ACTION - NW NATURAL "GASCO" SITE

PUBLIC COMMENT PERIOD

Thursday, May 26, 2005

7:05 p.m.

Portland, Oregon

Saint Johns Community Center

8427 North Central Street

Portland, Oregon

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24 Taken Before: Jea H. Oh, Court Reporter

25 Naegeli Reporting Corporation

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1 APPEARANCES

2

3 PANEL MEMBERS

4

5 Barbara J. Lithier - Hearing Facilitator

6 Judy Smith

7 Sean Sheldrake

8 Carl Stivers

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1 PORTLAND, OREGON;

2 THURSDAY, MAY 26, 2005.

3 PROCEEDINGS

4 FACILITATOR: Well, good evening, I am going  
5 go ahead and use the microphone. I'd like to begin  
6 by welcoming you all to the more formal public  
7 comment portion of our meeting tonight. My name is  
8 Barbara Lither, and I work with EPA in the Seattle  
9 office, and I'm going to be serving as your hearings  
10 officer for this evening. And as the hearings  
11 officer, it's my responsibility to ensure that the  
12 hearing is run properly and that anybody who chooses  
13 to provide comments this evening, whether it is in  
14 writing or orally, has the opportunity to do so.

15 I would like to take this time to introduce  
16 our court reporter, her name is Jea Oh. And she will  
17 be recording the proceedings for this evening, so it  
18 is important for those of you who are speaking  
19 tonight, to please make sure that you speak clearly

20 and slowly so that we can capture your comments for  
21 the record.

22 This hearing is being held on Thursday, May  
23 26th, 2005, at the Saint John's Community Center,  
24 Portland, Oregon, and the purpose is to receive  
25 public comment on the EPA proposed Gasco Early

1 Removal -- excuse me, Early Action Removal. Public  
2 notice of the hearing was published in the Portland  
3 Oregonian on Friday, May 13th, 2005, and the public  
4 comment period began on May 13th and runs through  
5 June 13th, 2005.

6 Before I begin -- excuse me. Before we  
7 open the proceedings for comment, I would like to  
8 describe the process and the procedures to be  
9 followed this evening so that you know how your

10 comments will be handled. As Judy stated earlier, if  
11 you wish to provide comments, we ask that you please  
12 provide us with the speaker registration cards, and  
13 thank you to those of you who have done that already.  
14 If there are elected public officials in the  
15 audience, we would like to know as well so that we  
16 can offer you the opportunity to speak.

17       The public hearing has been called with two  
18 goals in mind. First, we would like to give all  
19 interested parties an opportunity to express their  
20 views on the proposed engineering evaluation and cost  
21 analysis for removal of the tar mass contaminating  
22 sediment at the Gasco site. And, second, we are  
23 interested in obtaining as much relevant information  
24 as possible to assist in selecting the most  
25 appropriate clean-up alternative.

1 EPA's role tonight is to receive your  
2 comments. If you ask questions during comments, they  
3 will not be answered at this time, but they will be  
4 included in the record. EPA will respond to all  
5 comments received in the written response document  
6 that is -- that will accompany the action memo  
7 selecting a clean-up alternative.

8 You do not need to provide comments this  
9 evening in order to have your concerns or your  
10 perspectives considered; written comments are given  
11 equal consideration in our decisionmaking. So you  
12 have the option of providing oral comments tonight,  
13 or written comments, or both.

14 Copies of the documents that we referred to  
15 earlier this evening are available at the back of the  
16 room, and if there is information that you would like  
17 that is not available to you, please see Judy Smith  
18 in the back of the room with your name and address,  
19 and we will try to provide that. The information is  
20 also available on the internet. If you'd like to be  
21 on the mailing list to receive information about the

22 final action taken on this removal, please sign up at  
23 the appropriate sign-up sheet located in the back.  
24 Another reminder, if you choose to provide  
25 written comments, you do need to mail them to EPA at

1 the address which was shown here, and it is also on  
2 the fact sheet. But please be reminded that they  
3 must be postmarked no later than June 13th, 2005, to  
4 be considered. Written comments this evening may  
5 also be accepted. If you would like to provide  
6 written comments, we will accept them. There is a  
7 form at the back of the room. Again, written  
8 comments, whether you submit them tonight or choose  
9 to submit them later, must be postmarked no later  
10 than June 13th, 2005.

11 So with that, what I'd like to do now is to



12 begin taking the public comment. And I'd like to  
13 reemphasize that the purpose of the public hearing is  
14 to receive input on the proposed removal of the tar  
15 deposit contaminating sediment at the Gasco site. I  
16 will ask the speakers to come to the microphone, and  
17 as you begin your statement, I'll have the microphone  
18 over here, please state your name clearly for the  
19 record and include any organization that you  
20 represent. And to keep things moving -- since we  
21 only have two speakers, we don't have to worry about  
22 having a line, but we will call the speakers in the  
23 order that they signed up.

24       The last thing that I would like to mention  
25 is that we are here on this important matter, but we

1 would like to make sure that we are respectful and

2 courteous, and I believe that we will have a  
3 courteous and civil proceeding and be respectful of  
4 the various points of view that will be expressed  
5 this evening.

6 I will begin by now calling up our first  
7 speaker, and that is Jane Harris. So would you like  
8 to join us?

9 MS. HARRIS: Thank you. I want to thank EPA  
10 for providing this opportunity for the public to come  
11 here and speak about the early action clean-up at  
12 Gasco. I am Jane Harris. I'm the executive director  
13 of the Oregon Center for Environmental Health, and I  
14 also sit on the Portland Harbor Citizens Advisory  
15 Group.

16 We have reviewed the EE/CA for this  
17 clean-up, and we, first off, want to say that we were  
18 pleased to see that the Subtitle-C Landfill Option  
19 has been selected. We provided comments on that, we  
20 had some concerns that these contaminants would not  
21 be sent to a hazardous waste landfill, so we are  
22 pleased to see that that is the preferred

23 alternative.

24 Having said that, I have to say that we

25 have some major concerns about some of the choices

8

1 that have been made, and, obviously, from the

2 presentation, the least expensive, I'm avoiding the

3 word "cheapest", alternative has been chosen, and

4 that involves a silk curtain versus rigid

5 containment. And we would like to go on record as

6 favoring the sheet pile option. We don't feel in the

7 EE/CA there's enough analysis to rule that out. I

8 think the concerns about re-suspending contaminants

9 are not well presented in there.

10 I have some concerns about the silk

11 curtain. I think the anchoring system is something

12 on the bubble, and all these other sheets and walls

13 are something that are being designed as sort of  
14 on-the-fly to try to compensate for turbidity, and  
15 wake, and wind, and tide, and I think there's a huge  
16 risk to the public of contamination being released to  
17 the larger river body under this system. So we have  
18 a major concern for that, and we would prefer to see  
19 the Alternative E, which, by my calculations, is  
20 about \$3.5 million more. I think that's a small  
21 price to pay. I'm sure Northwest Natural doesn't  
22 agree with that, but I think the fact that they  
23 stalled for so many years cleaning this up, they owe  
24 the public the very best possible clean-up. I mean,  
25 I think they ought to spend the money, and they ought

1 to do it right.

2 The other thing that I really object to is

3 sort of the tone in this whole discussion. I notice  
4 it was -- "effectiveness" was one of the criteria  
5 that was mentioned here tonight. The criteria is  
6 "protective of human health and the environment", and  
7 I think that should be stated when you make public  
8 presentations. I think that is the prime directive  
9 here. And I think the tone, and even the message --  
10 the direct message here is that the public and the  
11 environment are not being exposed to this tar body.  
12 They certainly are being exposed to it. It's  
13 breaking off and floating, and you don't even really  
14 know what's going on with ground water movement and  
15 how that thing is moving. So I think this thing is a  
16 threat to the community. That's why it's being  
17 removed. It needs to be removed in the best possible  
18 way, and I think that's Alternative E, so we're going  
19 to go on the record stating that.

20 And I think that's pretty much it. I  
21 appreciate the opportunity to come here tonight.  
22 Thank you.

23 FACILITATOR: Our next speaker is Robin  
24 Plance.

25 MR. PLANCE: I have 15 minutes; is that what

10

1 you said?

2 FACILITATOR: Yeah.

3 MR. PLANCE: I want to first thank everybody  
4 for coming out to be with us in St. Johns. It's a  
5 gem out here. Contrary to some of the things that  
6 have been said, I think you can see how we really  
7 enjoy it here. Welcome, EPA, for having you out here  
8 at the community center. I am Ron Plance. Actually,  
9 the chair of the St. Johns Neighborhood Association,  
10 but I'm also the chair of the Portland Harbor  
11 Community Advisory Group.

12 Jan already stated our position as far as  
13 that we support E. Actually, I want to just  
14 reiterate that not only is it that we're not in favor

15 of these soft walls, I like to refer to it, I  
16 definitely want to make sure that we go on record  
17 that we do not support the capping at all. I see  
18 it's still listed as an option, and sometimes when  
19 these things happen, somehow we always end up with  
20 some of these options that we think would mean the  
21 opposite of the -- that go way down -- its own way.  
22 We don't support capping. We don't support capping  
23 in general for North Portland because we already have  
24 quite a bit of contaminants stored out here. You  
25 know, the landfill, St. Johns' landfill, and

1 McCormick can match us right now. With that, what I  
2 thought was to say something profound and watch all  
3 these pens for a while.  
4 They -- you know, I hope that we look at

5 this also from the standpoint of, you know, when we  
6 clean this up, we want it clean, we'd like to do it  
7 in a way that the community wants. I, like the  
8 chief, I will -- count me as a citizen, also born and  
9 raised here in Portland, and spent a lot of time on  
10 that river and the other rivers in the county area.  
11 It would be great to have this restored to a level  
12 that we can all enjoy and appreciate, and that's  
13 really what's important.

14 I hope that we can get more public comments  
15 and more public involvement in the discussion as we  
16 go through these early actions, so I encourage all of  
17 us to go out from here and outwards to your neighbors  
18 and make it important for the EPA, and Northwest  
19 Natural, and the Lower Willamette because they hear  
20 our opinions. Don't let just me, or Jane, or a  
21 couple of us speak for everyone. Even though that's  
22 kind of what we've been shouldered with it, I think  
23 it's still important for everybody to weigh in.

24 Having said that, I think I'll end on that  
25 note. Once again, the sheet pile wall, we feel



1 it's -- even though it's more expensive, we think  
2 it's in the best interest of the river and the  
3 character of the river, and it will save the quality  
4 of it in the long run.

5 FACILITATOR: I want to thank our commenters  
6 and ask the audience if there are any other  
7 individuals who would like to provide comments at  
8 this time. Please. Would you state your name?

9 MR. ROBISON: My name is Jim Robison,  
10 R-o-b-i-s-o-n. And I wasn't going to add anything,  
11 but since there was so few commenters, I'll go ahead  
12 and add two issues.

13 First of all, the reason that capping the  
14 contaminant is a bad idea is that we don't really  
15 know what all is underneath there or how deep it

16 goes, and so we don't really know what is migrating  
17 underneath the riverbank right now and coming up --  
18 you know, what's going to come up into the river a  
19 few years down the road or is coming up right now,  
20 unless we get it out. So we have to be able to dig  
21 that out and get rid of it so it doesn't end up in  
22 the river 20 years down the road.

23       Also, one of the major flaws behind the  
24 curtain approach, the silk curtain, is that the silk  
25 curtains are not designed to go that deep. The silk

1 curtains are designed for much smaller projects. And  
2 in a project like this, if you're trying to contain  
3 it, when you get that volume of water and material  
4 behind the silk curtain, you know it's going to break  
5 and rip -- it's going to tear at some point, and that

6 is all going to flow down the river. So you really  
7 have to, you know, be able to deal with that  
8 situation on a much more serious basis than what the  
9 silk curtain would do. Thank you.

10 FACILITATOR: Would you like to come up?  
11 Thank you. Would you state your name for the record?

12 MR. SMITH: My name is Timothy Smith, and  
13 I'm here on behalf of all of us who grew up in this  
14 area swimming, fishing, just having a good time down  
15 at the river. And on behalf of all the future  
16 generations, people that are going to enjoy that  
17 river this summer and for decades in the future, this  
18 absolutely positively needs to be cleaned up, yes,  
19 sir. And there's no excuse for more delay. It needs  
20 to be cleaned up right. And there's going to be  
21 plenty of children, pregnant women, all kinds of  
22 citizens enjoying millions of hours of recreation in  
23 the river here, downstream, and upstream. The tide  
24 goes upstream also.

25 And I think we should be open to the

1 process that when we rip into this thing, that we  
2 probably don't know precisely what's there, and we  
3 should constantly be aware that this may cost more  
4 than we think it's going to cost, and no expense  
5 should be spared. Thank you.

6 FACILITATOR: Any other comments? Please  
7 state your name for the record.

8 MR. TRACY: My name is Matt Tracy,  
9 T-r-a-c-y. I'm here in an unofficial capacity, but  
10 I'm the solid waste administrator for Columbia  
11 County. I have a house here on Central, I'm in the  
12 neighborhood, and I spend time on the river.

13 I happen to have a background in  
14 environmental clean-up and involved currently in an  
15 environmental clean-up that maybe has -- may  
16 have some historical ties to this particular site  
17 because we found some materials that are

18 characteristically -- basically, some of the same  
19 materials that were found in this site can be  
20 accused -- listed this site as a contributor site to  
21 our site.

22 I'm a little bit appalled by the fact that  
23 those paths of least resistance in this clean-up are  
24 being the paths that are talked about and chosen, and  
25 then the delay time in the clean-up has also made me

1 a little bit edgy. I think that you need to contain  
2 the site, you need to do everything you need to do to  
3 make sure and ensure that there is no further  
4 pollution or contamination or exposure to ecological  
5 receptors or human receptors, and if it's going to  
6 cost Northwest Natural Gas a lot of money to do it,  
7 so be it. You bought the site, you own it, there

8 were ESAs probably performed on the site, you knew  
9 what kind of activities were happening on the site;  
10 it's your problem. I did the same thing. We have a  
11 site in Columbia County. We bought it, we own it,  
12 we're cleaning it up. I expect the private sector to  
13 do the same, and that's just where I'll leave this.  
14 Thanks.

15 FACILITATOR: Is there anyone else that  
16 wishes to provide comments? All right. Seeing as  
17 how there's no one else who wishes to provide  
18 statements, then I'm going to formally close this  
19 public meeting. The time is 7:25, and I want to  
20 thank you all for coming.

21 MS. SMITH: And I just have one closing  
22 comment. Yes, thank you all for coming. I'm sure  
23 that if you want to talk to people individually  
24 around the room afterwards, you can. And to our  
25 three commenters that came later, I do want to make

1 sure that you signed up on our mailing list so that  
2 you can get a copy of the responses from the EPA to  
3 your very important comments to us. So anybody else  
4 have anything? Dan?

5 MR. OPALSKI: I just want to -- again, Dan  
6 Opalski, I'm the director of the OEC. The comments  
7 that you stated, this has really been our first  
8 opportunity among what we expect to be many, many  
9 around here at the Portland Harbor Superfund Site  
10 that will appear for a number of years coming up. It  
11 really has been our first opportunity to formally  
12 entertain public comments on the stuff we're  
13 working -- we're engaged in.

14 I'm also very interested in terms of your  
15 feedback on have we provided the opportunity in how  
16 this meeting was conducted, whether it was kind of  
17 the right vehicle for you to come forth with your  
18 comments, if the setting was right -- we got comments

19 on that, but whether this format worked for you folks  
20 as far as how the presentation was presented. So I  
21 look forward to hearing that from you because, as  
22 Sean and I already mentioned, this is going to be all  
23 up and down the harbor for quite a while, so what we  
24 want to do is get this part of it right so that we  
25 can get your comments out on that.

1 MS. SMITH: Yeah, I have cards on the back  
2 table and comments that goes to either Sean or I  
3 regarding how the meeting operates, or if there's  
4 something we can do differently, let us know for  
5 sure. Thanks. And thank you all for coming. And,  
6 actually, people will have time to get back across  
7 the St. Johns Bridge.

8 (Whereupon, the hearing was concluded at



9 7:30 p.m.)

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1 CERTIFICATE

2  
3 I, Jea Oh, do hereby certify that

4 pursuant to the Rules of Civil Procedure, the witness

5 named herein appeared before me at the time and place

6 set forth in the caption herein; that at the said

7 time and place, I reported in stenotype all testimony

8 adduced and other oral proceedings had in the

9 foregoing matter; and that the foregoing transcript

10 pages constitute a full, true and correct record of

11 such testimony adduced and oral proceeding had and of

12 the whole thereof.

13  
14 IN WITNESS HEREOF, I have hereunto set my

15 hand this 6th day of June, 2005.

16  
17  
18 \_\_\_\_\_

19 Jea Oh Commission Expiration

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